

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

THE ESTATE OF YARON UNGAR, et al.,

Plaintiffs – Judgment Creditors,

v.

Civ. No. 00-105L

THE PALESTINIAN AUTHORITY, et al.,

Defendants – Judgment Debtors.

PLAINTIFFS-JUDGMENT CREDITORS' MOTION FOR ENLARGEMENT

The Plaintiffs-Judgment Creditors hereby respectfully move for an enlargement of two current briefing deadlines as follows:

1. December 2, 2010 is currently Plaintiffs' deadline for filing their response to Defendants'-Judgment Debtors' appeal of Magistrate Judge Martins' rulings on several discovery motions. Dkt. # 593.

2. December 3, 2010 is currently Plaintiffs' deadline for filing their response to Defendants'-Judgment Debtors' motion to vacate the September 2006 creditors' bill judgment. Dkt. # 597.

3. As indicated below these deadlines are impossible for Plaintiffs to meet and accordingly they respectfully request enlargement of both deadlines until December 13, 2010.

4. Plaintiffs are diligently preparing for the January 18, 2010 hearing on Defendants' motion to vacate the July 2004 judgment.

5. Those preparations include compliance with this Court's June 1, 2010 Pre-Hearing Order which set a discovery closure date of November 19, 2010 and a November 29, 2010 deadline for filing motions.

6. In addition to the responses to the motion to vacate the creditors' bill and appeal of Magistrate Judge Martins' discovery orders (which are the subject of this motion), over the next two weeks Plaintiffs have a number of briefing deadlines and will be engaged in preparation for and appearance at a deposition in Israel, a hearing on three motions before Magistrate Judge Martin and a full appellate brief due in the First Circuit Court of Appeals:

a. On November 29, 2010, Plaintiffs must file their Reply in further support of their motion to compel. (dkt. # 583).

b. On December 2, 2010, Plaintiffs will be taking a de bene esse deposition of Offer Saad in Israel.

c. On December 2, 2010, Plaintiffs must file their Reply in further support of their motion in limine. (dkt. # 585).

d. On December 3, 2010, Plaintiffs' response brief in the First Circuit Court of Appeals is due with respect to the Insurance and Pension Fund's appeal of this Court's denial of a motion to intervene.

e. On December 3, 2010, Plaintiffs will be appearing before Magistrate Judge Martin for a hearing on three pending motions.

f. On December 9, 2010, Plaintiffs' response to Canaan's motion to quash a subpoena duces tecum is due.

7. Plaintiffs respectfully submit that enlarging the deadlines for responding to Defendants' appeal of Magistrate Judge Martin's discovery rulings and responding to the motion

to vacate the 2006 creditors' bill judgment will not burden the Court or cause prejudice to Defendants.

8. Additionally, Plaintiffs respectfully submit that their request is justified in light of the arduous schedule outlined above and for other reasons.

9. First, the parties have been conducting and responding to discovery requests over the last month with the guidance of Magistrate Judge Martin's four discovery rulings of late October. These decisions were issued after full briefing, two full days of oral argument and careful deliberation. Accordingly Defendants' appeal under Fed.R.Civ.P. 72 is unlikely to be successful and will not be prejudiced by enlarging the briefing deadline as Plaintiffs request.

10. Second, Defendants will not be prejudiced by enlarging the deadline for Plaintiffs' response to their motion to vacate the creditors' bill judgment. The judgment at issue in that motion was entered over four years ago. Dkt. # 381. Though their counsel appeared at the September 13, 2006 hearing on the creditors' bill, Defendants refused to respond to Plaintiffs' request for relief, failed to appeal the judgment and took no action in over four years to vacate the judgment or contest it any way. Moreover, as this Court has denied Plaintiffs' recent request for a preliminary injunction against Defendants, there is no reason this matter must be litigated now. This Court has also denied Defendants' request to expedite briefing on the motion to vacate the creditors' bill judgment. Dkt. # 602. The filing of a motion to vacate the creditors' bill judgment at this late date while the parties are actively engaged in discovery and pretrial motions regarding the motion to vacate the July 2004 judgment serves only to multiply and expand this litigation far beyond the mandate of First Circuit Court of Appeals and this Court's April 1, 2010 ruling.

11. Third, Defendants' untimely expansion of this case at this late date (coincidentally on the eve of deadlines regarding the pending motion to vacate the July 2004 judgment) while Plaintiffs' are simultaneously burdened with responding to the Insurance and Pension Fund's First Circuit appeal is clearly an attempt to strain Plaintiffs' resources at this crucial stage in the three years of litigation over Defendants' motion to vacate the July 2004 judgment.

12. Accordingly, Plaintiffs respectfully request that this Court grant their motion to enlarge and permit them to respond to the appeal of Magistrate Judge Martins' discovery orders and the motion to vacate the creditors' bill on December 13, 2010.

Dated: November 26, 2010

Plaintiffs-Judgment Creditors,
by their Attorneys,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on November 26, 2010, a true copy of the foregoing was filed by ECF which served Defendants' counsel of record listed below:

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